



Case Number **ZC-19-014**

**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
March 5, 2019

**Council District**      7

**Zoning Commission Recommendation:**

Approval by a vote of 9-0

**Opposition:** None

**Support:** None

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Laura Evans</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

**Owner / Applicant:**      **Foremost Real Estate LLC**

**Site Location:**      14475 Day Road      Mapsco: 8J

**Proposed Use:**      **Industrial**

**Request:**      From:      "A-43" One-Family/I-35 Design Overlay

To:      "I" Light Industrial/I-35 Design Overlay

**Land Use Compatibility:**      Requested change **is compatible.**

**Comprehensive Plan Consistency:**      Requested change **is consistent.**

**Staff Recommendation:**      **Approval**

**Background:**

The proposed site is located east of the I-35N on west side of Day Road. The applicant is requesting to rezone from "A-43" One-Family to "I" Light Industrial for existing industrial uses. It appears from 2017 aerials that there is an existing single family home on the property. If rezoned the home will become legal nonconforming.

The site is located east of the Alliance Industrial Growth Center. Properties to the west and along I-35, are zoned "AG" Agricultural or unzoned. Other properties on the south, east and north are zoned "A-43" or outside the city limits and used for single family and or commercial. After further review, the future land use was changed in 2017 to acknowledge the industrial uses within the area but also the appropriateness of the expansion of light industrial.

The neighboring properties will remain zoned A-43 unless changed in the future. As such, any expansion of the industrial uses will have to follow the supplemental standards for industrial zoning adjacent to A or B districts. Staff is also working on a text amendment to provide additional adjacency considerations for industrial development next to single family districts.

The City of Fort Worth recently published an Economic Development Strategic Plan which stated four specific outcomes, one of which is "A more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment".

**Site Information:**

Owner: Foremost Real Estate LLC  
 2009 Devinstone Ct  
 Fort Worth, TX 76177

Agent: Josh Martin

Acreage: 4.99 ac

Comprehensive Plan Sector: Far North

**Surrounding Zoning and Land Uses:**

North "A-43" One-Family / detention pond  
 East Unzoned / single family, undeveloped  
 South "A-43" One-Family; "I" Light Industrial / single family; undeveloped  
 West Unzoned / vacant

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-18-119 from A-43 to I; effective 10/12/18; south of subject property  
 ZC-11-116 Council-initiated rezoning to "A-43", "A-5" One-Family and "I" Light Industrial effective 12-16-11, subject area and surrounding

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed
Day Road	Two-Way County Rd	Two-Way County Rd
IH-35W	Freeway	Freeway

**Public Notification:**

300 foot Legal Notifications were mailed on January 25, 2019.  
 The following organizations were notified: (emailed January 22, 2019)

Organizations Notified	
North Fort Worth Alliance	The Ranches NA*
Streams And Valleys Inc	Trinity Habitat for Humanity
Northwest ISD	

\*Closest registered Neighborhood Association

**Development Impact Analysis:****1. Land Use Compatibility**

The applicant is requesting to rezone from "A-43" One-Family to "I" Light Industrial for industrial uses. Surrounding land uses are mostly single-family or vacant.

Due to the required buffers between industrial and residential uses and east of the Alliance Industrial Growth Center, the proposed "I" Light Industrial zoning **is compatible** with the surrounding uses.

**2. Comprehensive Plan Consistency**

The 2018 Comprehensive Plan designates the subject property as Light Industrial. The proposed "I" Industrial zoning district, is consistent with the following Comprehensive Plan policies.

- Locate large industrial uses along freight lines, highways, or airports within industrial growth centers and other appropriate locations.
- Promote industrial development within the Meacham, Alliance, and Alliance Gateway East Industrial Growth Centers.

Based on conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

The city's new Economic Development Strategic Plan encourages expansion of the commercial and industrial base. The proposed rezoning would support this goal. The below policies from the Strategic Plan apply to the proposed rezoning, with proper buffering and separation from the residential district.

INITIATIVE 1.3. BUSINESS RETENTION & EXPANSION (BRE)

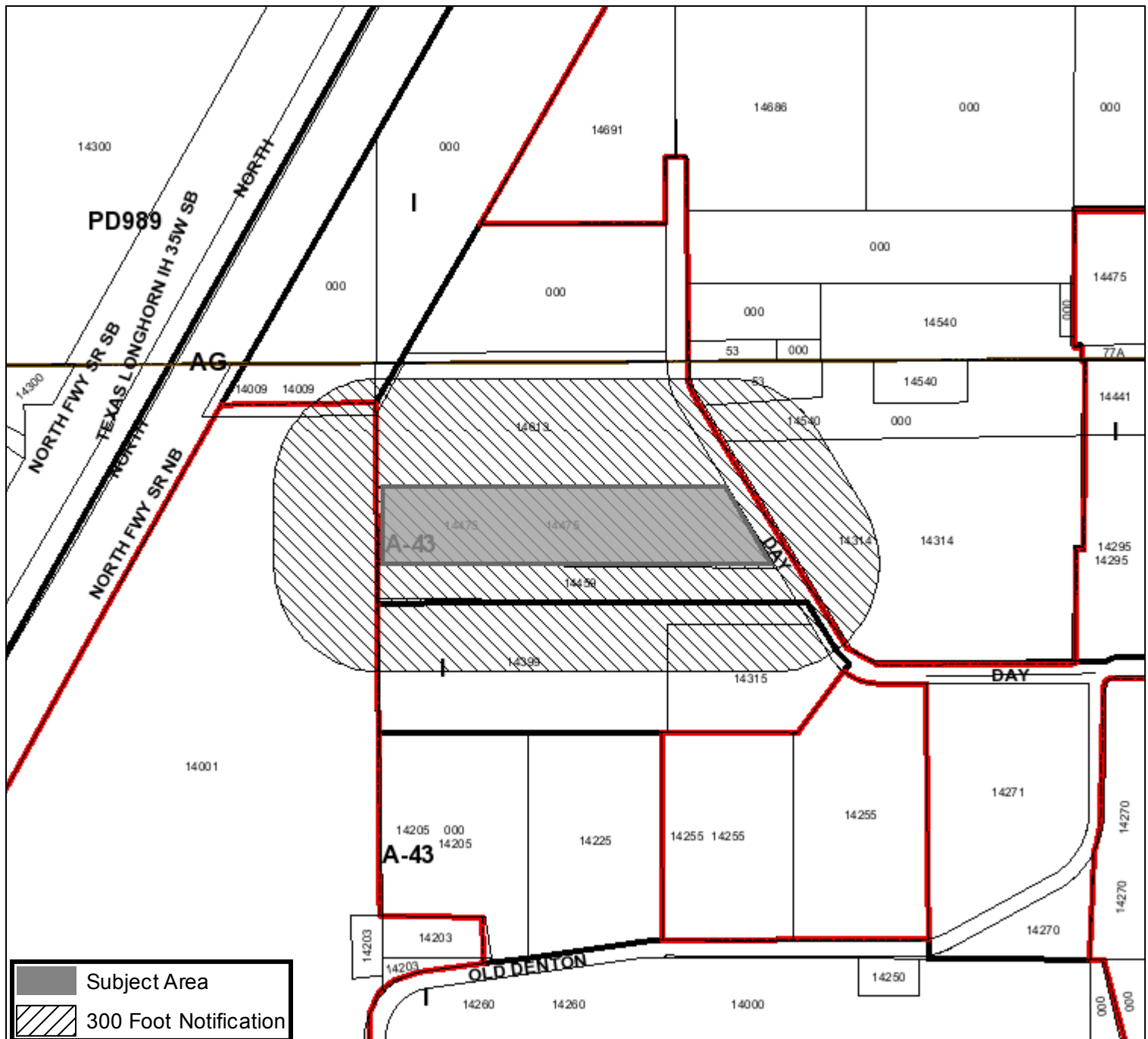
1.3.3.2. Ensure protection for other significant industrial districts with concentrations of manufacturing, transportation, and warehousing businesses that generate heavy truck traffic.

1.3.3.3. Work with the real estate community to preserve strategically located sites within emerging employment/business districts to allow and encourage future development of high-value, high density employment nodes.

***Attachments:***

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph

Applicant: Foremost Real Estate, LLC  
Address: 14475 Day Road  
Zoning From: A-43/I-35 Design Overlay  
Zoning To: I/I-35 Design Overlay  
Acres: 4.99911668  
MapSCO: 8J  
Sector/District: Far North  
Commission Date: 2/13/2019  
Contact: 817-392-8043

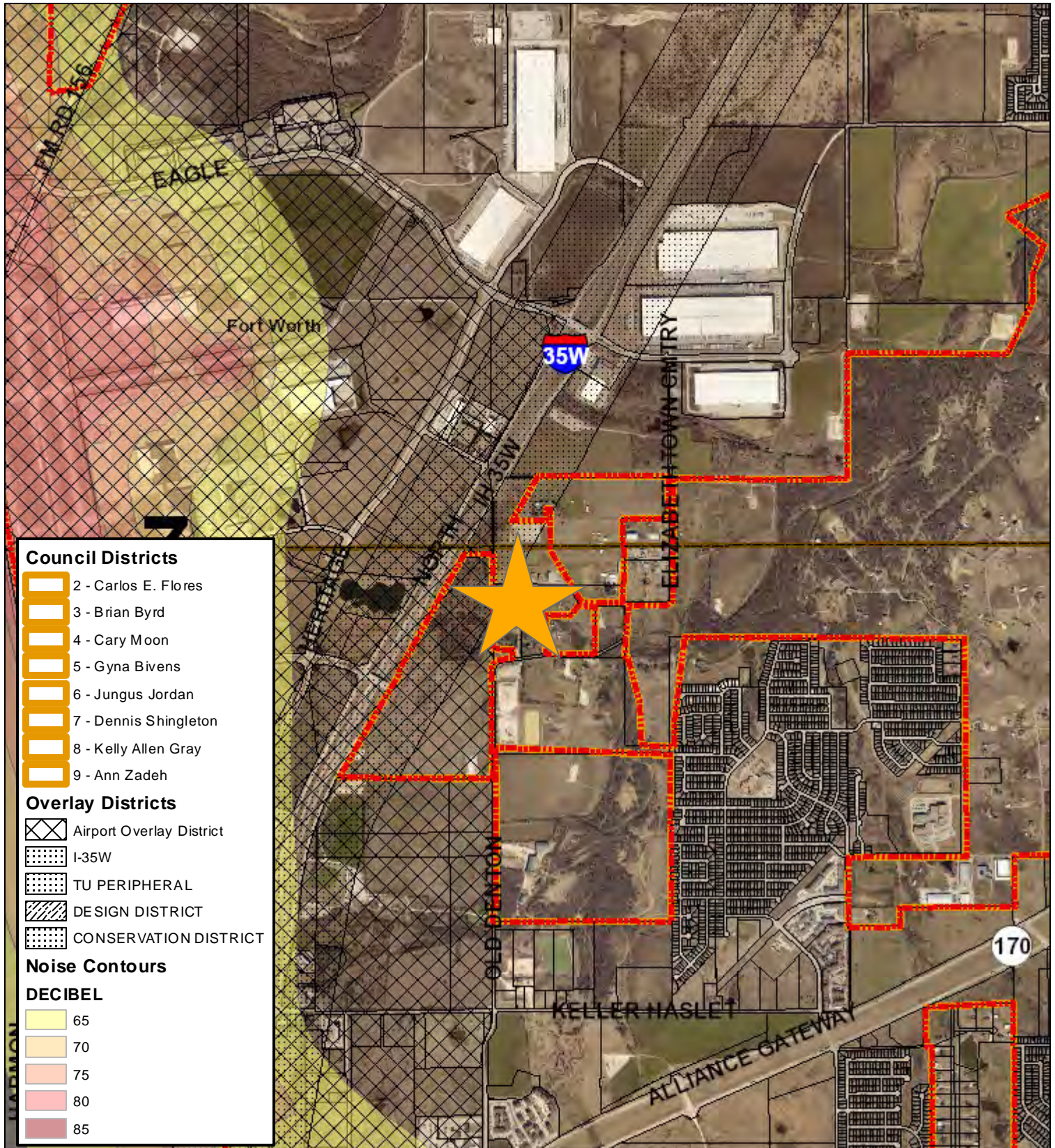


A horizontal number line representing distance in feet. It starts at 0 on the left and ends at 800 on the right. Major tick marks are labeled at 0, 200, 400, and 800. There are 10 equal intervals between 0 and 800, with minor tick marks at every 100-foot interval.



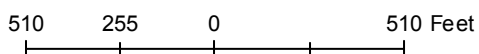
ZC-19-014

## Area Map



0 1,000 2,000 4,000 Feet

## Future Land Use



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 6, 2018.





ZC-19-014

## Aerial Photo Map



0 320 640 1,280 Feet



Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Eddie Eckart	2405 Mustang Dr Grapevine, TX		Support		Representing applicant
Harry Ebbeson Jr				Opposition	Sent letter with questions for the applicant

**14. ZC-19-014 Foremost Real Estate, LLC (CD 7) – 14475 Day Road (Rufus King Survey Abstract No. 905, 4.99 ac.) From: “A-43” One-Family/I-35 Design Overlay To: “I” Light Industrial/I-35 Design Overlay**

Jerry Farrier, representing the applicant, stated they purchased the property in 2014 and were unaware it was legal nonconforming.

Motion: Following brief discussion, Mr. Aughinbaugh recommended Approval of the request, seconded by Ms. Conlin. The motion passed unanimously 9-0.

Document received for written correspondence					ZC-19-014
Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Jerry Farrier	1336 Glen Cove Southlake, TX		Support		Representing applicant

**15. ZC-19-015 CFG Realty, LLC (CD 4) – 2917 Chesser Boyer Road (Commercial Metals Addition Lot 2 Block 1, 22.20 ac.) From: “K” Heavy Industrial To: Tract 1: PD/I Planned Development for all uses in “I” Light Industrial plus recycling, site plan included; Tract 2: PD/I Planned Development for all uses in “I” Light Industrial, site plan waiver requested**

Misty Ventura, representing the applicant, stated they are requesting a continuance to work on concerns from staff and the opposition. She also asked for the project to be renoticed to include the revised proposal for PD/I and other new items.

Shokor Jawshan spoke in opposition. He stated he has serious concerns to a recycling plant 70’ from his home, and does not want to live that close to this kind of use. He wanted to know how this would affect his property value and how this use would help the surrounding neighborhood.

During the rebuttal, Ms. Ventura stated the buffer is 270 ft. with a 70 ft. treed screening and that there would be no construction on this tract. She also stated the materials to be recycled would be construction materials and that the use is highly regulated by the TCEQ. She said that the proposed “I” zoning is a transition to the adjacent “K” zoning.

Motion: Following brief discussion, Mr. Gober recommended a 60-day continuance of the request, seconded by Ms. Runnels. The motion passed unanimously 9-0.